

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

THIRD DAY, MONDAY, JANUARY 10, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, give ear to our words and consider our meditation. At the onset of this 2005 Session, we yield our plans, pursuits, understanding, wisdom and passions, that we might gain sharp insight into what is true, honorable, right, pure, gracious, and of necessity for this year.

As we reflect on the upcoming Session, we are bombarded with thoughts of what lie ahead. Grant us peace.

Despite our desire to accomplish what is best for our constituents and this state, anxieties, disappointments and distractions that hinder our best efforts sometimes bog us down. Grant us the serenity and wisdom to overcome these obstacles.

O Lord, watch over family and us while we are absent one from another. Keep us in Your love, as each day requires, as we make our journey from loved ones to duty.

May Your grace be sufficient for all we do.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jessikah Steen and Nicki Fryer.

The Journal of the second day was approved as printed.

SENATE CONCURRENT RESOLUTION

Representative Dempsey moved that Rule 59 be suspended in order to take up and adopt **SCR 1**.

Which motion was adopted by the following vote:

AYES: 154

Aull
Bearden

Baker 123
Behnen

Baker 25
Bivins

Barnitz
Black

Bean
Bland

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|------------|-----------------|------------|----------------|---------------|
| Bringer | Brown 30 | Brown 50 | Bruns | Burnett |
| Byrd | Chappelle-Nadal | Casey | Chinn | Cooper 120 |
| Cooper 155 | Cooper 158 | Corcoran | Cunningham 145 | Cunningham 86 |
| Curls | Darrough | Daus | Davis | Day |
| Deeken | Dempsey | Denison | Dethrow | Dixon |
| Donnelly | Dougherty | Dusenberg | Emery | Ervin |
| Fares | Fisher | Flook | Franz | Fraser |
| George | Goodman | Guest | Harris 110 | Harris 23 |
| Haywood | Henke | Hobbs | Hoskins | Hubbard |
| Hughes | Hunter | Ice | Jackson | Johnson 47 |
| Johnson 61 | Johnson 90 | Jolly | Jones | Kingery |
| Kratky | Kraus | Kuessner | Lager | Lampe |
| Lembke | LeVota | Liese | Lipke | Loehner |
| Low 39 | Lowe 44 | Marsh | May | McGhee |
| Meadows | Meiners | Moore | Munzlinger | Muschany |
| Myers | Nance | Nieves | Nolte | Oxford |
| Page | Parker | Parson | Pearce | Phillips |
| Pollock | Portwood | Pratt | Quinn | Rector |
| Richard | Roark | Robb | Robinson | Roorda |
| Rucker | Ruestman | Rupp | Salva | Sander |
| Sater | Schaaf | Schad | Schlottach | Schneider |
| Schoemehl | Selby | Self | Shoemyer | Skaggs |
| Smith 118 | Smith 14 | Spreng | Stefanick | Stevenson |
| St. Onge | Storch | Sutherland | Swinger | Threlkeld |
| Tilley | Villa | Vogt | Wagner | Wallace |
| Walsh | Walton | Wasson | Wells | Weter |
| Whorton | Wildberger | Wilson 119 | Wilson 130 | Witte |
| Wood | Wright-Jones | Wright 137 | Wright 159 | Yaeger |
| Yates | Young | Zweifel | Mr Speaker | |

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

| | | | | |
|-------|--------|----------|--------|---------|
| Avery | Bowman | Boykins | Brooks | El-Amin |
| Faith | Kelly | Viebrock | | |

VACANCIES: 001

SCR 1, relating to the Inaugural Committee, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **SCR 1** was adopted.

INAUGURAL COMMITTEE

The Speaker appointed the following members to the Inaugural Committee: Representatives Baker (123), Chinn, Nance, Cunningham (145), Phillips, Roark, Ice, Moore, Behnen, Hobbs, Hunter, Henke, Villa, Harris (23), LeVota, Johnson (61), Wright-Jones and Young.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 41 - Representative May
House Resolution No. 42
through
House Resolution No. 47 - Representative Pratt
House Resolution No. 48 - Representative Goodman
House Resolution No. 49
and
House Resolution No. 50 - Representative Wilson (119)
House Resolution No. 51 - Representative Robinson

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 184, introduced by Representatives Deeken and Skaggs, relating to the reduction of alcohol-related problems.

HB 185, introduced by Representative Cooper (158), relating to scholarship program for children of veterans killed in combat.

HB 186, introduced by Representative Emery, relating to local taxes.

HB 187, introduced by Representatives Jolly, Page, Harris (23), Low (39), Meiners, Moore, Yaeger, Wildberger, Sutherland, Meadows and Storch, relating to adoption awareness.

HB 188, introduced by Representatives Jolly, Meiners, Low (39), Page, Yaeger, Wildberger, Johnson (61), Meadows, Sater and Byrd, relating to assault of a law enforcement officer, prosecuting attorney or assistant prosecuting attorney, circuit attorney or assistant circuit attorney, or emergency personnel.

HB 189, introduced by Representatives Jolly, Johnson (90), Darrough and Dusenberg, relating to sentencing.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 7 was read the second time.

SECOND READING OF HOUSE BILLS

HB 171 through **HB 183** were read the second time.

JOINT SESSION

The Senate and House of Representatives met in Joint Assembly on the steps of the State Capitol and President Pro Tem Gibbons called the Joint Assembly to order.

Governor-elect Matt Blunt was escorted to his place at the podium by the Legislative Inaugural Committee.

The Honorable Rod Jetton, Speaker of the Missouri House of Representatives, led the audience in the Pledge of Allegiance to the flag.

Mr. Neal E. Boyd, Cape Girardeau, Missouri, sang the “National Anthem”.

The Invocation was offered by Monsignor Ted L. Wojcicki, President/Rector of Kenrick - Glennon Seminary, St. Louis, Missouri.

The Honorable Ronnie L. White, Chief Justice of the Supreme Court of Missouri, administered the oath of office to Attorney General Jeremiah W. (Jay) Nixon.

The Honorable John W. Hearne, Attorney at Law, administered the oath of office to State Treasurer Sarah Steelman.

The Honorable Ronnie L. White, Chief Justice of the Supreme Court of Missouri, administered the oath of office to Secretary of State Robin Carnahan.

The Honorable Stephen N. Limbaugh, Judge of the Supreme Court of Missouri, administered the oath of office to Lieutenant Governor Peter D. Kinder.

The Honorable Stephen N. Limbaugh, Judge of the Supreme Court of Missouri, administered the oath of office to Governor-elect Matt Blunt.

Immediately following the administration of the oath, military honors were rendered to Governor Blunt with the firing of a nineteen gun salute by the 135th Field Artillery, MOARNG, Sedalia, Missouri.

Governor Matt Blunt delivered his Inaugural Address.

INAUGURAL ADDRESS

My fellow Missourians,

I am grateful for the confidence you have placed in me. I sought this office knowing that the generous and able support of my fellow citizens would help me shoulder the many grave responsibilities that accompany the honor of leading this great state.

It will be my great purpose to lead Missouri in a new direction. I promised change in our state capitol. Missourians mandated change in both the tone and the priorities of our state government. Our shared desire for a future

of great opportunity and achievement for every Missourian demands that we heed their counsel. Change begins today, at this hour, in this place.

We stand in the shadow of Jefferson who believed that a society founded upon the rule of law and liberty was dependent upon public education and the diffusion of knowledge. He correctly extolled the virtues of learning when he stated that, “No other sure foundation can be devised for the preservation of freedom and happiness.”

Missouri’s Constitution declares that education must be our first commitment. Even if we were not legally bound, we would be morally bound to serve the children of our state and the families who have placed their confidence in us.

We must fulfill this obligation. We must transcend partisan division. We must meet Jefferson’s standard for enlightened government. We can no longer drift from the vision embraced by the Founders and our Constitution.

Working with your elected representatives, I will strive to ensure that every young Missourian has the education they deserve. Their future and our own depend upon it.

In the days ahead we must and will create an entrepreneurial climate where the spirit of free enterprise will flourish and aid the creation of good family supporting jobs. We must also remember that Missouri’s future rests with the creativity and genius of the people - not in government programs.

Missourians deserve a government that promises no more than it can deliver and delivers everything it promises. Taxpayers deserve a government that harnesses technology to better serve the people. It is within our capacity to provide smaller and more responsible government.

In a government such as ours we have vigorous contests to determine who should lead. The recent election was no exception. Now we inaugurate a new government on a day that transcends any one individual or any one party.

Today, we begin the important task of working together to improve the lives of all Missourians. I commit all of my strength and energy to this good cause. As differing points of view compete, I encourage all to remember Jefferson’s admonition that “every difference of opinion is not a difference of principle.”

The government that we inaugurate today recommits itself to our shared principles. I stand before you today mindful of our shared aspiration for a government that better serves the people. We are united in our hope for a government that is frugal and wise. We remind ourselves that the values that spring from our soil and are cultivated in our homes and places of worship should be embraced rather than scorned.

The spirit and determination of the people to chart their own destiny is the greatest power for good in human affairs. The demands of the present must stand above the political habits of the past. When necessary, the needs of this hour have right to sweep aside the barriers that prevent Missourians from reaching their full potential.

We stand first among nations because of our hopefulness, our vision, and our desire for improvement. When we speak of the American dream, the dream that we describe centers not on the glories of the past, but on the possibilities of the future.

Over the next four years, we will be bold. We will be willing to experiment. We will not fear failure. We will bear setbacks with resolve and press forward with determined innovation. We will attack problems with the deliberation that accompanies this great responsibility and with the energy necessary to build a better Missouri.

Missouri can lead America in solving many of the problems that challenge our country. Our workers are ready, eager and able to meet the tests of the global economy. Missouri’s teachers are dedicated to preparing our young people for a future of opportunity.

We are fortunate to have many valuable resources at our disposal, but our greatest resource has been, is, and always will be our people. In the measure that state government has fallen short, it has done so by setting itself apart

from, and above, the wisdom, common sense, and values of the people. Government is not the author of progress, nor the first source of wisdom, nor the Creator of our freedom, nor the wellspring of the values of faith, family and freedom that make America the greatest nation on earth. Government is the people's tool. It should be the servant, not the master.

A statue on the north side of our beautiful Capitol commemorates the signing of the Louisiana Purchase. On this side, we are under the gaze of our third President whose vision secured the new territory and defined its character. From that territory, pioneers carved a state destined for greatness. Their optimism, hope and faith endure. We are the heirs of their labor. Let us also remember that we are guardians of their legacy.

I took the oath with my hand upon two Bibles. One is the Book I turn to each day. It will remind me of the solemn pledge I have made before God and my fellow citizens. The other is a Bible that Melanie and I will give to our son upon his birth. It will remind me that what we do today, tomorrow and across the next four years will help define the future opportunities of every Missouri child.

May God grant that in the days of prosperity and contentment, He will fill our hearts with praise and that in moments of trial, we will remember to seek His aid.

Together, we will chart a new course for our state. With your prayers, encouragement and support, we will succeed. May God bless Missouri and the United States of America.

The 135th Army Band, MOARNG, performed "Armed Forces on Parade (Service Medley)".

The Benediction was pronounced by Pastor Paul Brooks, Senior Pastor, First Baptist Church of Raytown, Missouri.

The 135th Army Band, MOARNG, performed "God of Our Fathers".

The Joint Session was dissolved by Senator Gibbons and the Representatives returned to the Chamber where they were called to order by Speaker Pro Tem Bearden.

The following members' presence was noted: Sanders Brooks and Viebrock.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, January 11, 2005.

HOUSE CALENDAR

FOURTH DAY, TUESDAY, JANUARY 11, 2005

HOUSE BILLS FOR SECOND READING

HB 184 through HB 189